

BILL NO. Z-76-09-07

ZONING MAP ORDINANCE NO. Z-16-76

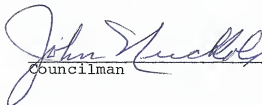
AN ORDINANCE amending the City of  
Fort Wayne Zoning Map No. B-13.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF  
FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is  
hereby designated a B 1 A District under the terms of Chapter  
36, Municipal Code of the City of Fort Wayne, Indiana, 1946,  
as amended by General Ordinance No. 2836 and amendments thereof;  
and the symbols of the City of Fort Wayne Zoning Map No. B-13,  
referred to therein, established by Section 9, Article III of  
said Chapter as amended, are hereby changed accordingly, to-wit:

Lot #1 in Highland Park Forest Addition - a tri-  
angular shaped parcel of ground, bounded by North  
Clinton Street on the west, by Forest Hill Avenue  
on the east, and located at the intersection of  
Fernwood Avenue, North Clinton Street and Forest  
Hill Ave.

SECTION 2. This Ordinance shall be in full force and  
effect from and after its passage, approval by the Mayor and  
legal publication thereof.

  
Councilman

APPROVED AS TO FORM  
AND LEGALITY,

  
CITY ATTORNEY

Read the first time in full and on motion by Nuckols, seconded by J. Schmidt, and duly adopted, read the second time by title and referred to the Committee on Regulations (and the City Plan Commission for recommendation) and ~~Public Hearing~~ to be held after due legal notice, at the Council Chambers, City County Building, Fort Wayne, Indiana, on \_\_\_\_\_, the day of \_\_\_\_\_, 1976, at \_\_\_\_\_ o'clock P.M., E.S.T.

DATE: 9-14-76

Charles W. Whittemore  
CITY CLERK

Read the third time in full and on motion by Burns, seconded by Talarico, and duly adopted, placed on its passage.  
PASSED (~~NOT~~) by the following vote:

|             | AYES          | NAYS          | ABSTAINED     | ABSENT        | TO-WIT:       |
|-------------|---------------|---------------|---------------|---------------|---------------|
| TOTAL VOTES | <u>8</u>      | <u>0</u>      | <u>      </u> | <u>1</u>      | <u>      </u> |
| BURNS       | <u>✓</u>      | <u>      </u> | <u>      </u> | <u>      </u> | <u>      </u> |
| HINGA       | <u>✓</u>      | <u>      </u> | <u>      </u> | <u>      </u> | <u>      </u> |
| HUNTER      | <u>✓</u>      | <u>      </u> | <u>      </u> | <u>      </u> | <u>      </u> |
| MOSES       | <u>✓</u>      | <u>      </u> | <u>      </u> | <u>      </u> | <u>      </u> |
| NUCKOLS     | <u>      </u> | <u>      </u> | <u>      </u> | <u>✓</u>      | <u>      </u> |
| SCHMIDT, D. | <u>✓</u>      | <u>      </u> | <u>      </u> | <u>      </u> | <u>      </u> |
| SCHMIDT, V. | <u>✓</u>      | <u>      </u> | <u>      </u> | <u>      </u> | <u>      </u> |
| STIER       | <u>✓</u>      | <u>      </u> | <u>      </u> | <u>      </u> | <u>      </u> |
| TALARICO    | <u>✓</u>      | <u>      </u> | <u>      </u> | <u>      </u> | <u>      </u> |

DATE: 10-26-76

Charles W. Whittemore  
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ZONING MAP) ( ~~GENERAL~~ ) ( ~~ANNEXATION~~ ) ( ~~SPECIAL~~ ) ( ~~APPROPRIATION~~ )

ORDINANCE ( ~~RESOLUTION~~ ) No. 3-16-76 on the 26th day of Oct., 1976.  
ATTEST: ( SEAL )

Charles W. Whittemore  
CITY CLERK

James Stier  
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of Oct., 1976, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Whittemore  
CITY CLERK

Approved and signed by me this 27th day of October, 1976, at the hour of 6:00 o'clock \_\_\_\_\_ M., E.S.T.

Robert Elmhurst  
MAYOR

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on September 14, 1976, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-76-09-07; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

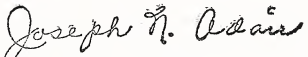
WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on October 11, 1976;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO PASS for the reasons that a need has been shown for the Land Use Plan to be amended, the amendment will be in the best interest of and benefit to the area involved and of and to the city; and the amendment will not be detrimental to and does not conflict with the overall city plan:

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held October 18, 1976.

Certified and signed this 19th  
day of October, 1976.

  
\_\_\_\_\_  
Joseph N. Adair  
Secretary

*Optim*

Bill No. Z-76-09-07

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance  
amending the City of Fort Wayne Zoning Map No. B-13

have had said Ordinance under consideration and beg leave to report back to the Common  
Council that said Ordinance 90 PASS.

- John Nuckols - Chairman
- Paul M. Burns - Vice-Chairman
- Vivian G. Schmidt
- Winfield C. Moses, Jr.
- Donald J. Schmidt

*Paul M. Burns*  
*Vivian G. Schmidt*  
*Donald J. Schmidt*

## RECEIPT

Date

Aug 13 1976

No.

6836

Received From

Address

For

ACCOUNT

AMT. OF  
ACCOUNT

AMT. PAID

BALANCE  
DUE

HOW PAID

CASH

CHECK

MONEY  
ORDER

Dollars

By

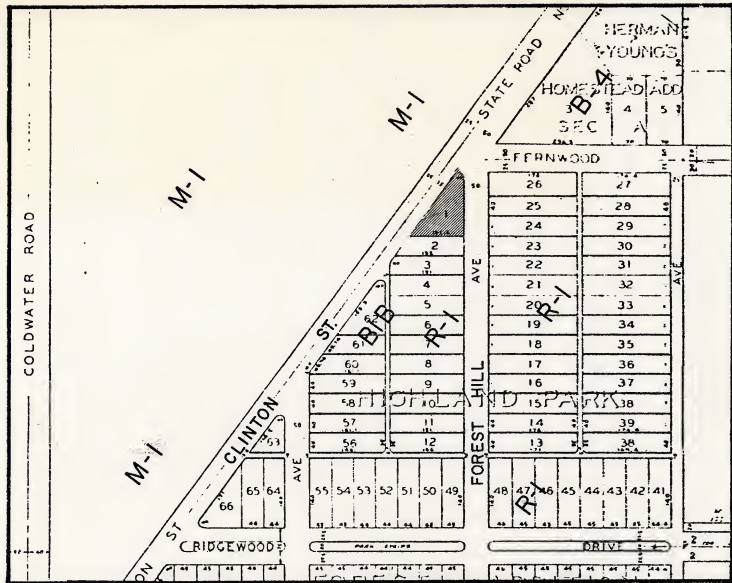
Margaret Eder

50 dollars

50<sup>00</sup>Reasoning - Lot #1 Highland  
Park Forest

|                 |     |             |                  |
|-----------------|-----|-------------|------------------|
| AMT. OF ACCOUNT | 50- | CASH        | # 5856           |
| AMT. PAID       | 50- | CHECK       | 50 <sup>00</sup> |
| BALANCE DUE     |     | MONEY ORDER |                  |

City Plax Comm. Serv.



To be changed from R-1 to B-1-A

8-23-76

B-13

L.S.

8-76-09-07

N



TO: COMMON COUNCIL OF THE  
CITY OF FORT WAYNE, INDIANA

Date Filed \_\_\_\_\_

Intended Use Paint Store

I/~~we~~ Margaret Elder (Applicant's Name or Names)

do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne, Indiana, by reclassifying from a/an R-1 district to a/~~an~~ B-1-A district the property described as follows:

Lot Number 1 in Highland Park Forest Addition to the

City of Fort Wayne, Allen County, Indiana.

(Legal Description)

(General Description for Planning Staff Use Only)

I/~~we~~, the undersigned, certify that I am ~~the owner~~ of fifty-one percentum (51%) or more of the property described in this petition.

(Margaret Elder)

(Name)

3939 Forest Hill, Ft. Wayne

(Address)

*[Signature]*  
atty. for Margaret Elder  
(Signature)

Legal Description Checked By: \_\_\_\_\_ (City Engineer)

NOTE FOLLOWING RULES:

All requests for continuances or requests that ordinances be taken under advisement shall be filed in writing in the office of the City Plan Commission by noon on the Wednesday preceding the meeting of the City Plan Commission at which the ordinance is to be considered. If the request for a continuance or advisement is filed within the required time, the matter will not be put on the agenda for that meeting. It shall be the obligation of the petitioner to notify the same property owners which the Plan Commission had notified by mail that the hearing has been postponed or rescheduled and inform them of the time and place of the meeting at which the ordinance will be considered. All withdrawals of the ordinances must be made in writing prior to the Plan Commission's vote on the ordinance.

Name and address of preparer, attorney or agent:

(Name)

Thomas J. Blee

1235 Lincoln Tower, City

(Address)

743-4762

(Telephone Number)

# CERTIFICATE OF SURVEY

OFFICE OF

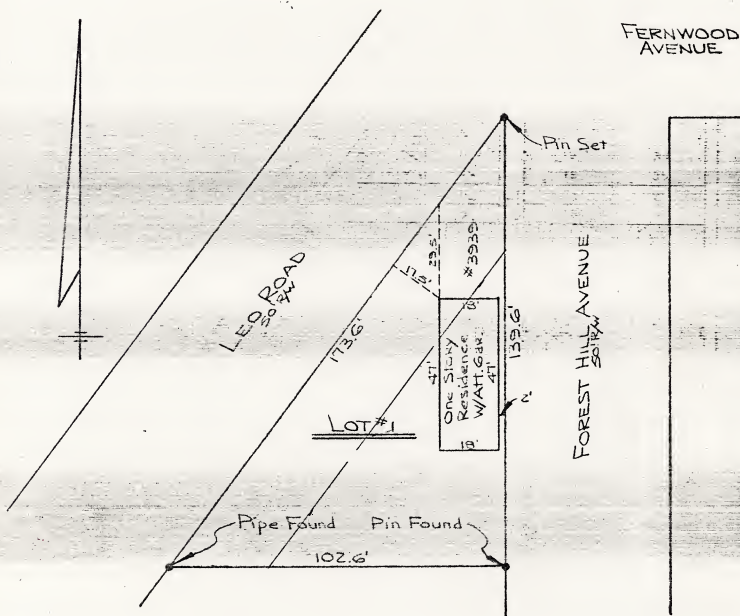
## JOSEPH B. STOODY JR.

REGISTERED LAND SURVEYOR NO. S-0144 INDIANA  
801 COLUMBIA AVENUE  
FORT WAYNE, INDIANA 46805  
PHONE 219 424-1356

The undersigned Land Surveyor, registered under the Laws of Indiana, hereby certifies that he has made a resurvey of the real estate described and shown below.

Measurements were made and monuments set in conformity with the records on file in the office of the Recorder of ALLEN County, Indiana and to the best of my knowledge accurately shown. Any encroachments or discrepancies are shown below.

Legal description of real estate: Lot # 1 in Highland Park Forest Addition, as recorded in Book 8, page 12, in the office of the Recorder of Allen County, Indiana.



NOTES:

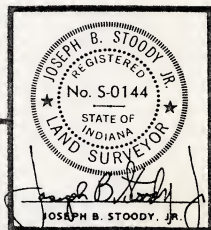
The above described real estate does not lie within a flood hazard area as defined by the "Flood Hazard Boundary Map" from the Department of Housing and Urban Development, January 1, 1974.

FOR ELDER-BYERS

SCALE 1" = 30'

DATE 8-13-76

JOB NO. 2647





## POWER OF ATTORNEY

OF

MARGARET ELDER

(GRANTOR)

TO

THOMAS J. BLEE

(ATTORNEY-IN-FACT)

The undersigned hereby nominates, constitutes and appoints Thomas J. Blee

whose address is 1235 Lincoln Tower, Fort Wayne, Indiana,  
as my true and lawful attorney-in-fact to do and perform for me and in my name the following:

(Strike any paragraph not applicable)

- (1) Banking and Financial Transactions — (a) To open accounts, in my name or on my behalf, in any bank or trust company, savings and loan company, insurance company, credit union, or any other banking or savings institution, and to deposit into such accounts, or into accounts now existing or hereafter established in my name, any money, checks, notes, drafts, acceptances or other evidences of indebtedness payable to or belonging to me, including but not being limited to checks or drafts issued by the Treasurer of the United States or any other official, bureau, department or agency of the United States Government or by the Treasurer or similar official of any state, or any other official, bureau, department or agency of any State, municipality or other government body; and to disburse, withdraw or receive from such accounts, all or any part of the balance therein; (b) to make such endorsements and to sign such documents as may be required in connection with deposit into any of such accounts; (c) to sign checks, withdrawals, drafts, receipts or other documents as may be required in connection with disbursement or withdrawal from or receipt of such accounts; and (d) to have access to and to remove any or all of my property contained or held in any safety deposit box.
- (2) Motor Vehicles — To sell, lease, maintain, insure, license and re-license any motor vehicle which I may own or in which I may have an interest and to execute and deliver any instruments required so to do.
- (3) Tax Matters — (a) To prepare, execute and file on my behalf income and other tax returns and pay any amount determined due; (b) to prepare, execute and file on my behalf documents pertaining to real estate and personal property taxes, assessments, and applications for exemptions; and (c) to act on my behalf in tax matters where it may be necessary to negotiate, compromise and settle tax disputes, including appealing determinations of value assessments and taxes due.
- (4) Conduct of Business — (a) To manage my property and to conduct my business affairs, including, but not limited to, leasing, managing and maintaining any real or personal property which I may own; (b) to recover, obtain and hold possession of any real estate, monies, goods, chattels, debts, or any other thing in which I may have an interest; and (c) to pay, discharge or compromise any of my debts or other obligations.
- (5) Securities Transactions — (a) To purchase or otherwise acquire, to sell or otherwise dispose of, securities including, but not limited to, stocks, bonds, notes, and other securities or evidences of indebtedness, all at such price and on such terms as my attorney-in-fact may determine; (b) to vote any such securities in my name, in person or by proxy; and (c) to receive dividends and other distributions of such securities.
- (6) Other powers specifically designated:

To act as my attorney-in-fact in all matters relating to my application for rezoning of my property located at 3939 Foresthill, Fort Wayne, Indiana, and in all matters relating to hearings upon said application.

IN FURTHERANCE OF THESE POWERS I give my attorney-in-fact power and authority to do for me and in my name those things which such attorney deems expedient to and necessary to effectuate the intent of this instrument, as fully as I could do personally for myself, ~~reserving unto myself, however, the power to act on my own behalf and also to revoke the powers given in this instrument.~~

Any act or thing lawfully done by my attorney-in-fact under this instrument shall be binding on me and on my heirs, assigns and legal representatives.

Persons to whom this instrument may be delivered may rely on its being in effect and unrevoked unless I shall have executed a proper instrument of revocation and recorded it, or caused it to be recorded, in the Miscellaneous Records of Allen County, State of Indiana, or unless I shall have died or have been judicially declared incompetent. If not revoked as aforesaid, the powers given my attorney-in-fact shall automatically terminate on indefinitely (DATE), and this instrument shall become null and void.

Signed this 12th day of August, 19 76; before the person named below, as witness, who has duly witnessed my signing of this instrument in 1 counterpart ~~XXXXXXXXXXXX~~  
~~XXXXXXXXXXXX~~  
Counterpart No. 1

Margaret Elder  
GRANTOR (Margaret Elder)  
308-14-7034  
GRANTOR'S SOCIAL SECURITY NUMBER

3939 Foresthill, Ft. Wayne, IN  
GRANTOR'S ADDRESS

David K. Hawk  
WITNESS TO SIGNING BY GRANTOR

STATE OF INDIANA )  
SS:  
COUNTY OF ALLEN )

Before me, the undersigned, a Notary Public in and for said County and State, this 12th day of August, 19 76, personally appeared the Grantor named above, and acknowledged the execution of the above instrument to be his/her voluntary act and deed, for the uses and purposes therein stated.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal the day and year last above written.

David K. Hawk  
NOTARY PUBLIC (David K. Hawk)

My Commission Expires:  
October 15, 1977

The attorney-in-fact represents and warrants that within his knowledge this power is unrevoked and is still in full force and effect upon each and every exercise of the powers herein granted.

Thomas J. Blee  
ATTORNEY-IN-FACT (Thomas J. Blee)  
Attorney at Law.

This instrument prepared by Thomas J. Blee

Number assigned by Bill Salin's office: # 3310 Admn. Appr. \_\_\_\_\_

## DIGEST SHEET

TITLE OF ORDINANCE ZONING MAP AMENDMENT ORDINANCE 3-76-09-07DEPARTMENT REQUESTING ORDINANCE CITY PLAN COMMISSIONSYNOPSIS OF ORDINANCE Petitioners are requesting the rezoning  
of the following described property:Lot # 1 in Highland Park Forest Addition - a triangular shaped parcel  
of ground, bounded by North Clinton Street on the west, by Forest Hill  
Avenue on the east, and located at the intersection of Fernwood Avenue,  
North Clinton Street and Forest Hill Ave.From "R1" to "B1A"EFFECT OF PASSAGE Property is presently zoned "R1" - Single family  
Residential. Petitioners are requesting a "B1A" District - Limited  
Business.EFFECT OF NON-PASSAGE Property would remain an "R1" District.MONEY INVOLVED (Direct Costs, Expenditures, Savings) noneASSIGNED TO COMMITTEE (J.N.) Regulation Committee



## THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

room 122

charles w. westerman, clerk

October 28, 1976

Miss Helen Libbing  
Fort Wayne Newspapers, Inc.  
600 West Main Street  
Fort Wayne, IN 46802

Dear Miss Libbing:

Please give the attached full coverage on the dates of November 1 & 8, 1976,  
in both the News Sentinel and Journal Gazette.

RE: Legal Notice of Common Council  
of Fort Wayne, Indiana

Bill No. Z-76-09-35  
Zoning Map Ordinance No. Z-20-76

Bill No. Z-76-09-34  
Zoning Map Ordinance No. Z-19-76

Bill No. Z-76-09-31  
Zoning Map Ordinance No. Z-18-76

Bill No. Z-76-09-09  
Zoning Map Ordinance No. Z-17-76

Bill No. Z-76-07-15  
Zoning Map Ordinance No. Z-15-76

Bill No. Z-76-09-07  
Zoning Map Ordinance No. Z-16-76

Please send us five (5) copies of the Publisher's Affidavit from both newspapers.

Thank you.

Sincerely,

Charles W. Westerman  
City Clerk

CWw/ne  
ENCL: 6



Common Council of Fort Wayne  
(Governmental Unit)

To THE NEWS-SENTINEL Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

## PUBLISHER'S CLAIM

## LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) — number of equivalent lines \_\_\_\_\_

Head number of lines \_\_\_\_\_

Body number of lines 90Tail number of lines 2Total number of lines in notice 92

## COMPUTATION OF CHARGES

92 lines 1 columns wide equals 92 equivalent lines at 259¢ 23.83  
cents per line

Additional charge for notices containing rule or tabular work (50 per cent of above amount) \_\_\_\_\_

Charge for extra proofs of publication (50 cents for each proof in excess of two) 1.50TOTAL AMOUNT OF CLAIM 25.33

## PRINTING COST

Size of type 5 1/2 point  
of single column 11 ems  
of insertions 2Size of quad upon which type is cast 5 1/2

Provision and penalties of Ch. 89, Acts 1967,

If the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just part of the same has been paid.

V. E. Gerken  
Title \_\_\_\_\_ CLERK

## PUBLISHER'S AFFIDAVIT

State of Indiana }  
Allen County } as:Personally appeared before me, a notary public in and for said county and state, the undersigned V. E. GERKEN who, being duly sworn, says that she is \_\_\_\_\_ CLERK of the

NEWS-SENTINEL

a DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time 8, the dates of publication being as follows:  
11/1-8/76Subscribed and sworn to before me this 8th day of November 19 76  
V. E. Gerken  
Notary PublicMy commission expires September 28, 1979

Notice is hereby given that on the 26th day of October, 1976, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following BILL NO. Z-76-60-67, Z-16-76 Zoning Map Ordinance, to wit:

BILL NO. Z-76-67-67  
ZONING MAP ORDINANCE NO. Z-16-76 AN ORDINANCE amending the City of Fort Wayne Zoning Map No. B-13

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1 That the area described as follows is hereby designated a B 1 A District under the terms of Chapter 34 Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2636 and amendments thereof; and the symbols of the City of Fort Wayne Zoning Map No. B-13, referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to wit:

Lot No. 1 in Highland Park Forest Addition - a triangular shaped parcel of ground, bounded by North Clinton Street on the west, by Forest Hill Avenue on the east, and located at the intersection of Fernwood Avenue, North Clinton Street and Forest Hill Ave.

SECTION 2 This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

JOHN NUCKOLS

Councilman  
Read the third time in full and on motion by Burns, seconded by Talari, co. and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight Burns, Hinga, Hunter, D. Schmidt, V. Schmidt, Siler, Talari, co.

Nays: None  
Absent: One Nuckols  
Date: 10-26-76Charles W. Westerman  
City Clerk  
Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Zoning Map Ordinance No. Z-16-76 on the 26th day of October, 1976.

ATTEST (SEAL)

Charles W. Westerman

James S. Siler  
City Clerk  
Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of October, 1976, at the hour of 11:00 o'clock A.M., E.S.T.Charles W. Westerman  
City Clerk  
Approved and signed by me this 27th day of October, 1976, at the hour of 6:30 o'clock P.M., E.S.T.Robert E. Armstrong  
Mayor  
I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full, true and complete copy of Zoning Ordinance No. Z-16-76 passed by the Common Council on the 26th day of October, 1976, and that said Ordinance was duly signed and approved by the Mayor on the 27th day of October, 1976 and now remains on file and on record in my office.WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 27th day of October, 1976.  
CHARLES W. WESTERMAN  
CITY CLERKSEAL  
11-1-76





Common Council of Fort Wayne  
(Governmental Unit)

To JOURNAL-GAZETTE Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

## PUBLISHER'S CLAIM

## LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) — number of equivalent lines \_\_\_\_\_

Head number of lines \_\_\_\_\_ **10**

Body number of lines \_\_\_\_\_ **90**

Tail number of lines \_\_\_\_\_ **2**

Total number of lines in notice \_\_\_\_\_ **92**

## COMPUTATION OF CHARGES

92 lines, 1 columns wide equals 92 equivalent lines at 25¢ cents per line **\$ 23.83**

Additional charge for notices containing rule or tabular work (50 per cent of above amount) \_\_\_\_\_

Charge for extra proofs of publication (50 cents for each proof in excess of two) \_\_\_\_\_ **1.50**

TOTAL AMOUNT OF CLAIM

**\$ 25.33**

## PRINTING COST

single column 9.9 Size of type 5½ point

of insertions 2 Size of quad upon which type is cast 5½

vision and penalties of Ch. 89, Acts 1967,

the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just part of the same has been paid.

*Arvilla DeWald*  
Title \_\_\_\_\_ CLERK

## PUBLISHER'S AFFIDAVIT

State of Indiana  
Allen County } ss:

Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILLA DEWALD who, being duly sworn, says that she is \_\_\_\_\_ CLERK of the

## JOURNAL-GAZETTE

a DAILY newspaper of general circulation printed and published

in the English language in the city of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time s, the dates of publication being as follows:

**11/1-8/76**

Subscribed and sworn to before me this 8th day of November 1976

Notary Public

My commission expires September 28, 1979

Notice is hereby given that on the 28th day of October, 1976, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following BILL NO. 2-76-19-07, 2-16-76 Zoning Map Ordinance, to wit:

BILL NO. 2-76-09-07  
ZONING MAP ORDINANCE NO. 2-16-76 AN ORDINANCE amending the City of Fort Wayne Zoning Map No. B-13

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a B 1 A District under the terms of Chapter 36 Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 283, and amendments thereof; and the symbols of the City of Fort Wayne Zoning Map No. B-13, referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to wit:

Lot No. 1 in Highland Park Forest Addition - a triangular shaped parcel of ground, bounded by North Clinton Street on the west, by Forest Hill Avenue on the east, and located at the intersection of Fernwood Avenue, North Clinton Street and Forest Hill Ave.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

JOHN NUCKOLS  
Councilman

Read the third time in full and on motion by Burns, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight Burns, Hinga, Hunter, D. Schmidt, V. Schmidt, Slier, Talarico.

Nays: None

Absent: One Nuckols

Date: 10-26-76

Charles W. Westerman  
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Zoning Map Ordinance No. 2-16-76 on the 28th day of October, 1976.

ATTEST (SEAL)

Charles W. Westerman  
City Clerk

James S. Slier  
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of October, 1976, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman  
City Clerk

Approved and signed by me this 27th day of October, 1976, at the hour of 4:00 o'clock P.M., E.S.T.

Robert E. Armstrong  
Mayor

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full, true and complete copy of Zoning Ordinance No. 2-16-76 passed by the Common Council on the 28th day of October, 1976, and that said Ordinance was duly signed and approved by the Mayor on the 27th day of October, 1976 and now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 27th day of October, 1976.

CHARLES W. WESTERMAN  
CITY CLERK

SEAL  
11-1-8

Common Council of Fort Wayne  
(Governmental Unit)

To JOURNAL-GAZETTE Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

## PUBLISHER'S CLAIM

## LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set)  
— number of equivalent lines

Head number of lines

Body number of lines

Tail number of lines

Total number of lines in notice

10

90

2

92

## COMPUTATION OF CHARGES

92 lines, 1 columns wide equals 92 equivalent lines at 25¢  
cents per line \$ 23.83

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two)

1.50

TOTAL AMOUNT OF CLAIM

\$ 25.33

## DATA FOR COMPUTING COST

Width of single column 9.9  
columns

Size of type 5½ point

Number of insertions 2

Size of quad upon which type is cast 5½

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date November 8, 1976

Title CLERK

## PUBLISHER'S AFFIDAVIT

State of Indiana }  
ALLEN County } as:

Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILLA DEWALD who, being duly sworn, says that she is CLERK of the

JOURNAL-GAZETTE  
a DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time(s), the dates of publication being as follows:

11/1-2/76

Subscribed and sworn to before me this 8th day of November 1976

Notary Public

My commission expires September 28, 1979

COPY OF  
MENT HERE

City of Fort Wayne, Indiana, on the 27th day of October, 1976, at the hour of 11:00 o'clock A.M., E.S.T.  
Charles W. Westerman  
City Clerk

Approved and signed by me this 27th day of October, 1976, at the hour of 6:00 o'clock P.M., E.S.T.  
Robert E. Armstrong  
Mayor

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full, true and complete copy of Zoning Ordinance No. 2-16-76 passed by the Common Council on the 26th day of October, 1976, and that said Ordinance was duly signed and approved by the Mayor on the 27th day of October, 1976 and now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 27th day of October, 1976.  
CHARLES W. WESTERMAN  
CITY CLERK

SEAL  
11-1-8